IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5487 OF 2004
IN
CRIMINAL APPLICATION NO.2362 OF 2003
IN
CRIMINAL APPEAL NO. 538 OF 2003

Netaji Anandrao Kawale ...Applicant.

V/s

The State of Maharashtra ...Respondent.

Mrs. Revati Mohite Dere for the applicant.

Mr. D.P. Adsule, APP for the State.

CORAM: V.M.KANADE,J.
DATE: 20th January, 2005

P.C.

1. Heard the learned Counsel appearing on behalf of the applicant and the learned APP for the State. By order dated 29/7/2003, the applicant was released on bail on condition that he shall not enter the City of Kolhapur during the pendency of the present appeal. Thereafter, this condition was suspended for a period of two months by this Court by Order dated 7/7/2004. Applicant has filed this application seeking relaxation of the said condition pending the hearing and final disposal of the appeal.

2. It is submitted that the applicant has two daughters who are of a marriageable age and that their marriages have to be performed and, for that purpose,

the presence of the applicant at his residence is essential. No complaints have been received so far against the applicant during his stay from 1/10/2004 to 10/12/2004 in Kolhapur City. In view of this and considering the ground on which the relaxation is sought, in my view, this is a fit case where the said condition should be relaxed.

3. In the result, condition imposed by this Court by Order dated 29/7/2004 is relaxed. Applicant is permitted to enter the City of Kolhapur and stay at his residence. He shall, however, report to Rajarampuri Police Station once in a week. It is, however, made clear that in the event any complaints are received by the Police against the present applicant for harassing the witnesses, liberty is given to the respondent to apply for cancelling the relaxation of the condition.

V.M. KANADE, J.